

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

FILED-CLEPK
U.S. DISTRICT COURT
2007 NOV 27 AM 11:27
TX EASTERN-MARSHALL

Jerry David Harthcock,
Plaintiff,

v.

MIPS TECHNOLOGIES, INC ;
ADIMOS, INC ;
ADVANCED MICRO DEVICES, INC ;
AEROFLEX INCORPORATED;
AGILENT TECHNOLOGIES, INC ;
ARROW ELECTRONICS INC ;
ASUS COMPUTER INTERNATIONAL;
ATHEROS COMMUNICATIONS, INC ;
AVNET, INC ;
BEST BUY CO , INC ;
BROADCOM CORPORATION;
CANON U S A , INC ;
CAVIUM NETWORKS, INC ;
CHARTERED SEMICONDUCTOR
MANUFACTURING
INCORPORATED;
CIRCUIT CITY STORES, INC ;
CIRRUS LOGIC, INC ;
CISCO SYSTEMS, INC ;
CONEXANT, INC ;
CORELIS, INC ;
DENSO INTERNATIONAL
AMERICA, INC ;
DOLBY LABORATORIES, INC ;
ENTROPIC COMMUNICATIONS, INC ;
EPSON AMERICA, INC ;
ESS TECHNOLOGY, INC ;
FANGTEK, INC ;
FUJIFILM U S A , INC ;
FUJITSU AMERICA, INC ;
GAMESTOP, INC ;
GENESIS MICROCHIP (DELAWARE) INC ;
GENESYS LOGIC AMERICA, INC ;
GREEN HILLS SOFTWARE, INC ;

Civil Action No.: BY _____
2 - 07 CV - 515 TSW/CE

JURY TRIAL DEMANDED

HEWLETT-PACKARD COMPANY;
HUGHES NETWORK SYSTEMS, LLC;
IKANOS COMMUNICATIONS, INC.;
INFINEON TECHNOLOGIES
NORTH AMERICA CORP ;
INTEGRATED DEVICE
TECHNOLOGY, INC ;
INTERNATIONAL BUSINESS
MACHINES CORPORATION;
INTRINSITY, INC ;
JVC AMERICAS CORP ;
KAWASAKI MICROELECTRONICS
AMERICA, INC.;
KOLORIFIC, INC.;
LAUTERBACH, INC.;
LSI CORPORATION;
MACRAIGOR SYSTEMS, LLC;
MAGNUM SEMICONDUCTOR, INC.;
MARVELL SEMICONDUCTOR, INC.;
MENTOR GRAPHICS CORPORATION;
MICROCHIP TECHNOLOGY
INCORPORATED;
MICRONAS USA, INC ;
MICROSOFT CORPORATION;
MERCURY COMPUTER SYSTEMS, INC.;
NEC ELECTRONICS AMERICA, INC.;
NXP SEMICONDUCTORS USA, INC ;
OPULAN TECHNOLOGIES USA CORP ;
PENTAX OF AMERICA, INC.;
PIONEER ELECTRONICS (USA) INC ;
PIXELWORKS, INC ;
PMC-SIERRA, INC ;
QUARTICS, INC ;
QUICKLOGIC CORPORATION;
RAYTHEON COMPANY;
RAZA MICROELECTRONICS, INC ;
REAL COMMUNICATIONS, INC.;
SCIENTIFIC-ATLANTA, INC ;
Sears Holdings, LLC;
SHARP ELECTRONICS CORPORATION;
SICORTEX, INC ;
SILICON IMAGE, INC.;
SONIC SOLUTIONS;
SONY CORPORATION OF AMERICA;

SRS LABS, INC.;
STMICROELECTRONICS, INC ;
STREAM PROCESSORS, INC ;
TARGET CORPORATION;
TEXAS INSTRUMENTS INCORPORATED;
TIMESYS CORPORATION;
TOSHIBA AMERICA, INC ;
TOYS 'R' US-DELAWARE, INC.;
TRIDENT MICROSYSTEMS, INC.;
TSMC NORTH AMERICA;
TZERO TECHNOLOGIES INC ;
UMC GROUP (USA);
VIOFTE CORPORATION;
VIRAGE LOGIC CORPORATION;
VIXS SYSTEMS INC.;
WAL-MART STORES, INC ;
WIND RIVER SYSTEMS, INC ;
WINTTEGRA, INC.;
WIPRO INC ;
YOKOGAWA CORPORATION
OF AMERICA; and
ZORAN CORPORATION,
Defendants

COMPLAINT FOR PATENT INFRINGEMENT

Jerry David Harthcock makes this, his complaint for patent infringement, against MIPS TECHNOLOGIES, INC., ADIMOS, INC., ADVANCED MICRO DEVICES, INC , AEROFLEX INCORPORATED, AGILENT TECHNOLOGIES, INC., ARROW ELECTRONICS INC , ASUS COMPUTER INTERNATIONAL, ATHEROS COMMUNICATIONS, INC , AVNET, INC., BEST BUY CO , INC., BROADCOM CORPORATION, CANON U S A., INC , CAVIUM NETWORKS, INC , CHARTERED SEMICONDUCTOR MANUFACTURING INCORPORATED, CIRCUIT CITY STORES, INC., CIRBUS LOGIC, INC., CISCO SYSTEMS, INC., CONEXANT, INC , CORELIS, INC.,

DENSO INTERNATIONAL AMERICA, INC , DOLBY LABORATORIES, INC., ENTROPIC COMMUNICATIONS, INC , EPSON AMERICA, INC , ESS TECHNOLOGY, INC , FANGTEK, INC., FUJIFILM U S A , INC., FUJITSU AMERICA, INC , GAMESTOP, INC , GENESIS MICROCHIP (DELAWARE) INC , GENESYS LOGIC AMERICA, INC., GREEN HILLS SOFTWARE, INC., HEWLETT-PACKARD COMPANY, HUGHES NETWORK SYSTEMS, LLC, IKANOS COMMUNICATIONS, INC , INFINEON TECHNOLOGIES NORTH AMERICA CORP , INTEGRATED DEVICE TECHNOLOGY, INC , INTERNATIONAL BUSINESS MACHINES CORPORATION, INTRINSITY, INC., JVC AMERICAS CORP , KAWASAKI MICROELECTRONICS AMERICA, INC., KOLORIFIC, INC., LAUTERBACH, INC., LSI CORPORATION, MACRAIGOR SYSTEMS, LLC, MAGNUM SEMICONDUCTOR, INC., MARVELL SEMICONDUCTOR, INC , MENTOR GRAPHICS CORPORATION, MICROCHIP TECHNOLOGY INCORPORATED, MICRONAS USA, INC., MICROSOFT CORPORATION, MERCURY COMPUTER SYSTEMS, INC , NEC ELECTRONICS AMERICA, INC , NXP SEMICONDUCTORS USA, INC., OPULAN TECHNOLOGIES USA CORP , PENTAX OF AMERICA, INC., PIONEER ELECTRONICS (USA) INC , PIXELWORKS, INC , PMC-SIERRA, INC , QUARTICS, INC , QUICKLOGIC CORPORATION, RAYTHEON COMPANY, RAZA MICROELECTRONICS, INC , REAL COMMUNICATIONS, INC , SCIENTIFIC-ATLANTA, INC , Sears Holdings, LLC, SHARP ELECTRONICS CORPORATION, SICORTEX, INC , SILICON IMAGE, INC., SONIC SOLUTIONS, SONY CORPORATION OF AMERICA, SRS LABS, INC., STMICROELECTRONICS, INC., STREAM PROCESSORS, INC., TARGET CORPORATION, TEXAS INSTRUMENTS INCORPORATED, TIMESYS CORPORATION,

TOSHIBA AMERICA, INC , TOYS 'R' US-DELAWARE, INC., TRIDENT MICROSYSTEMS, INC., TSMC NORTH AMERICA, TZERO TECHNOLOGIES INC , UMC GROUP (USA), VIOSOFT CORPORATION, VIRAGE LOGIC CORPORATION, VIXS SYSTEMS INC , WAL-MART STORES, INC., WIND RIVER SYSTEMS, INC , WINTEGRA, INC., WIPRO INC , YOKOGAWA CORPORATION OF AMERICA, and ZORAN CORPORATION (collectively “the Defendants”) as follows.

PARTIES

1. Plaintiff Jerry David Harthcock (“Harthcock”) is a private inventor presently residing at 704 Hyde Park Place, Austin, Texas 78748.

2. Defendant MIPS Technologies, Inc. (“MIPS”) is a corporation organized and existing under the laws of Delaware with its principal place of business at 1225 Charleston Road, Mountain View, California 94043-1353

3. Defendant ADIMOS, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 7650 Marathon Drive, Suite A, Livermore, California 94550.

4. Defendant ADVANCED MICRO DEVICES, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at One AMD Place, Sunnyvale, California 94088-3453.

5. Defendant AEROFLEX INCORPORATED is a corporation organized and existing under the laws of Delaware with its principal place of business at 35 South Service Road, Plainview, New York, 11803.

6. Defendant AGILENT TECHNOLOGIES, INC. is a corporation organized and

existing under the laws of Delaware with its principal place of business at 5301 Stevens Creek Blvd., Santa Clara, California 95051.

7. Defendant ARROW ELECTRONICS INC. is a corporation organized and existing under the laws of New York with its principal place of business at 50 Marcus Drive, Nelville, New York 12207.

8. Defendant ASUS COMPUTER INTERNATIONAL is a corporation organized and existing under the laws of California with its principal place of business at 44370 Nobel Drive, Fremont, California 94538.

9. Defendant ATHEROS COMMUNICATIONS, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 5480 Great America Parkway, Santa Clara, California 95054.

10. Defendant AVNET, INC. is a corporation organized and existing under the laws of New York with its principal place of business at 21211 South 47th Street, Phoenix, Arizona 85034.

11. Defendant BEST BUY CO., INC. is a corporation organized and existing under the laws of Minnesota with its principal place of business at 7601 Penn Avenue South, Richfield, Minnesota 55423.

12. Defendant BROADCOM CORPORATION is a corporation organized and existing under the laws of California with its principal place of business at 5300 California Avenue, Irvine, California 92617.

13. Defendant CANON U S A., INC. is a corporation organized and existing under the laws of New York with its principal place of business at 1 Canon Plaza, Lake Success, New

York 11042

14. Defendant CAVIUM NETWORKS, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 3000 El Camino Real, Palo Alto, California 94306.

15. Defendant CHARTERED SEMICONDUCTOR MANUFACTURING INCORPORATED is a corporation organized and existing under the laws of Delaware with its principal place of business at 1450 McCandless Drive, Milpitas, California 95035

16. Defendant CIRCUIT CITY STORES, INC. is a corporation organized and existing under the laws of Virginia with its principal place of business at 9950 Mayland Drive, Richmond, Virginia 23233.

17. Defendant CIRRUS LOGIC, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 2901 Via Fortuna, Austin, Texas 78746.

18. Defendant CISCO SYSTEMS, INC. is a corporation organized and existing under the laws of California with its principal place of business at 170 West Tasman Drive, San Jose, California 95134.

19. Defendant CONEXANT, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 4000 MacArthur Blvd., Newport Beach, California 92660.

20. Defendant CORELIS, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 13873 Park Center Road, Suite 500, Herndon, Virginia 20171.

21. Defendant DENSO INTERNATIONAL AMERICA, INC. is a corporation organized

and existing under the laws of Delaware with its principal place of business at 24777 Denso Drive, Southfield, MI 48086

22. Defendant DOLBY LABORATORIES, INC. is a corporation organized and existing under the laws of California with its principal place of business at 100 Potrero Avenue, San Francisco, California 94103

23. Defendant ENTROPIC COMMUNICATIONS, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 9276 Scranton Road, Suite 200, San Diego, California 92121.

24. Defendant EPSON AMERICA, INC. is a corporation organized and existing under the laws of California with its principal place of business at 3840 Kilroy Airport Way, Long Beach California 90806

25. Defendant ESS TECHNOLOGY, INC. is a corporation organized and existing under the laws of California with its principal place of business at 48401 Fremont Blvd., Fremont, California 94538

26. Defendant FANGTEK, INC. is a corporation organized and existing under the laws of California with its principal place of business at 20823 Stevens Creek Blvd., Suite 300, Cupertino, California 95014.

27. Defendant FUJIFILM U.S.A., INC. is a corporation organized and existing under the laws of New York with its principal place of business at 200 Summit Lake Drive, Valhalla, New York 10595

28. Defendant FUJITSU AMERICA, INC. is a corporation organized and existing under the laws of California with its principal place of business at 1250 East Arques Avenue, M/S 124,

Sunnyvale, California 94085.

29. Defendant GAMESTOP, INC. is a corporation organized and existing under the laws of Minnesota with its principal place of business at 2625 Westport Parkway, Grapevine, Texas 76051.

30. Defendant GENESIS MICROCHIP (DELAWARE) INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 2525 Augustine Drive, Santa Clara, California 95054.

31. Defendant GENESYS LOGIC AMERICA, INC. is a corporation organized and existing under the laws of California with its principal place of business at 2860 Zanker Road, Suite 102, San Jose, California 95134.

32. Defendant GREEN HILLS SOFTWARE, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 30 West Sola Street, Santa Barbara, California 93101.

33. Defendant HEWLETT-PACKARD COMPANY is a corporation organized and existing under the laws of Delaware with its principal place of business at 3000 Hanover Street, Palo Alto, California 94304.

34. Defendant HUGHES NETWORK SYSTEMS, LLC is a corporation organized and existing under the laws of Delaware with its principal place of business at 1209 Orange Street, Wilmington, Delaware 19801.

35. Defendant IKANOS COMMUNICATIONS, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 47669 Fremont Blvd., Fremont, California 94538.

36. Defendant INFINEON TECHNOLOGIES NORTH AMERICA CORP. is a corporation organized and existing under the laws of Delaware with its principal place of business at 640 North McCarthy Blvd., Milpitas, California 95035

37. Defendant INTEGRATED DEVICE TECHNOLOGY, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 6024 Silver Creek Valley Road, San Jose, California 95138.

38. Defendant INTERNATIONAL BUSINESS MACHINES CORPORATION is a corporation organized and existing under the laws of New York with its principal place of business at New Orchard Road, Armonk, New York 10504

39. Defendant INTRINSITY, INC. is a corporation organized and existing under the laws of Texas with its principal place of business at 11612 Bee Caves Road, Building II, Suite 200, Austin, Texas 78738.

40. Defendant JVC AMERICAS CORP. is a corporation organized and existing under the laws of Delaware with its principal place of business at 5665 Corporate Avenue, Cypress, California 90630.

41. Defendant KAWASAKI MICROELECTRONICS AMERICA, INC. is a corporation organized and existing under the laws of California with its principal place of business at 2550 north First Street, Suite 500, San Jose, California 95130

42. Defendant KOLORIFIC, INC. is a corporation organized and existing under the laws of Cayman Islands with its principal place of business at 1621 South Main Street, Milpitas, California 95035.

43. Defendant LAUTERBACH, INC. is a corporation organized and existing under the

laws of Massachusetts with its principal place of business at 5 Mount Royal Avenue,
Marlborough, Massachusetts, 01752.

44. Defendant LSI CORPORATION is a corporation organized and existing under the
laws of Delaware with its principal place of business at 1621 Barber Lane, Milpitas, California
95035

45. Defendant MACRAIGOR SYSTEMS, LLC is a corporation organized and existing
under the laws of Massachusetts with its principal place of business at 227 Cypress Street, Suite
1, Brookline, Massachusetts 02445.

46. Defendant MAGNUM SEMICONDUCTOR, INC. is a corporation organized and
existing under the laws of Delaware with its principal place of business at 591 Yosemite Drive,
Milpitas, California 95035

47. Defendant MARVELL SEMICONDUCTOR, INC. is a corporation organized and
existing under the laws of California with its principal place of business at 5488 Marvell Lane,
Santa Clara, California 95054.

48. Defendant MENTOR GRAPHICS CORPORATION is a corporation organized and
existing under the laws of Oregon with its principal place of business at 8005 Southwest
Boeckman Road, Wilsonville, Oregon 97070.

49. Defendant MICROCHIP TECHNOLOGY INCORPORATED is a corporation
organized and existing under the laws of Delaware with its principal place of business at 2355
West Chandler Blvd., Chandler, Arizona 85224.

50. Defendant MICRONAS USA, INC. is a corporation organized and existing under the
laws of Delaware with its principal place of business at 2805 Mission College Blvd., Santa Clara,

California 95054

51. Defendant MICROSOFT CORPORATION is a corporation organized and existing under the laws of Washington with its principal place of business at One Microsoft Way Redmond, Washington 98052

52. Defendant MERCURY COMPUTER SYSTEMS, INC. is a corporation organized and existing under the laws of Massachusetts with its principal place of business at 199 Riverneck Road, Chelmsford, Massachusetts 01824.

53. Defendant NEC ELECTRONICS AMERICA, INC. is a corporation organized and existing under the laws of California with its principal place of business at 2880 Scott Blvd , Santa Clara, California 95050.

54. Defendant NXP SEMICONDUCTORS USA, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 1109 McKay Drive, San Jose, California 95131.

55. Defendant OPULAN TECHNOLOGIES USA CORP is a corporation organized and existing under the laws of California with its principal place of business at 3 Results Way, Cupertino, California 95014.

56. Defendant PENTAX OF AMERICA, INC is a corporation organized and existing under the laws of Delaware with its principal place of business at 102 Chestnut Ridge Road, Montvale, New Jersey 07645.

57. Defendant PIONEER ELECTRONICS (USA) INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 2265 East 220th Street, Long Beach California 90810.

58 Defendant PIXELWORKS, INC. is a corporation organized and existing under the laws of Oregon with its principal place of business at 8100 Southwest Nyberg Road, 4th Floor, Tualatin, Oregon 97062.

59 Defendant PMC-SIERRA, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 3975 Freedom Circle, Santa Clara, California 95054

60 Defendant QUARTICS, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 15241 Laguna Canyon Road, Irvine, California 92618.

61 Defendant QUICKLOGIC CORPORATION is a corporation organized and existing under the laws of Delaware with its principal place of business at 1277 Orleans Drive, Sunnyvale, California 94089.

62 Defendant RAYTHEON COMPANY is a corporation organized and existing under the laws of Delaware with its principal place of business at 870 Winter Street, Waltham, Massachusetts 02451.

63 Defendant RAZA MICROELECTRONICS, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 18920 Forge Drive, Cupertino, California 95014.

64 Defendant REAL COMMUNICATIONS, INC. is a corporation organized and existing under the laws of California with its principal place of business at 2870 Zanker Road, Suite 110, San Jose, California 95134.

65 Defendant SCIENTIFIC-ATLANTA, INC. is a corporation organized and existing

under the laws of Georgia with its principal place of business at 5030 Sugarloaf Parkway,
Lawrenceville, Georgia 30044.

66. Defendant Sears Holdings, LLC is a limited liability company organized and existing
under the laws of Texas with its principal place of business at 12603 Highway 105 West, Suite
202, Conroe, Texas 77304.

67. Defendant SHARP ELECTRONICS CORPORATION is a corporation organized
and existing under the laws of New York with its principal place of business at Sharp Plaza,
Mhwh, New Jersey 07430

68. Defendant SICORTEX, INC. is a corporation organized and existing under the laws
of Delaware with its principal place of business at Three Clock Tower Place, Suite 210,
Maynard, Massachusetts 01754.

69. Defendant SILICON IMAGE, INC. is a corporation organized and existing under the
laws of Delaware with its principal place of business at 1060 East Arques Avenue, Sunnyvale,
California 94085.

70. Defendant SONIC SOLUTIONS is a corporation organized and existing under the
laws of California with its principal place of business at 101 Rowland Way, Novato, California
94945

71. Defendant SONY CORPORATION OF AMERICA ("SONY") is a corporation
organized and existing under the laws of New York with its principal place of business at 550
Madison Avenue, 27th Floor, New York, New York 10022

72. Defendant SRS LABS, INC. is a corporation organized and existing under the laws
of Delaware with its principal place of business at 2909 Daimler Street, Santa Ana, California

92705

73. Defendant STMICROELECTRONICS, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 1310 Electronics Drive, Carrollton, Texas 75006

74 Defendant STREAM PROCESSORS, INC is a corporation organized and existing under the laws of California with its principal place of business at 455 Deguigne Drive, Sunnyvale, California 94085

75 Defendant TARGET CORPORATION is a corporation organized and existing under the laws of Minnesota with its principal place of business at 1000 Nicollet Mall, TPN-0945, Minneapolis, Minnesota 55403.

76 Defendant TEXAS INSTRUMENTS INCORPORATED is a corporation organized and existing under the laws of Delaware with its principal place of business at 12500 TI Blvd , Dallas, Texas 75243.

77 Defendant TIMESYS CORPORATION is a corporation organized and existing under the laws of Pennsylvania with its principal place of business at 4516 Henry Street, Pittsburgh, Pennsylvania 15213.

78 Defendant TOSHIBA AMERICA, INC is a corporation organized and existing under the laws of Delaware with its principal place of business at 1251 Avenue of the Americas, New York, New York 10020

79. Defendant TOYS 'R' US-DELAWARE, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at One Geoffrey Way, Wayne, New Jersey 07470.

80. Defendant TRIDENT MICROSYSTEMS, INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 3408 Garrett Drive, Santa Clara, California 95054.

81. Defendant TSMC NORTH AMERICA is a corporation organized and existing under the laws of California with its principal place of business at 2585 Junction Avenue, San Jose, California 95134

82. Defendant TZERO TECHNOLOGIES INC. is a corporation organized and existing under the laws of Delaware with its principal place of business at 455 West Maude Avenue, Suite 100, Sunnyvale, California 94085

83. Defendant UMC GROUP (USA) is a corporation organized and existing under the laws of California with its principal place of business at 488 Deguigne Drive, Sunnyvale, California 94085.

84. Defendant VIOSOFT CORPORATION is a corporation organized and existing under the laws of California with its principal place of business at 2959 South Winchester Blvd , Suite 203A, Campbell, California 95008.

85. Defendant VIRAGE LOGIC CORPORATION is a corporation organized and existing under the laws of Delaware with its principal place of business at 47100 Bayside Parkway, Fremont, California 94538

86. Defendant VIXS SYSTEMS INC. is a corporation organized and existing under the laws of Canada with its principal place of business at 2235 East Sheppard Ave , Suite 1705, Toronto, Ontario, M2J 5B5 Canada.

87. Defendant WAL-MART STORES, INC. is a corporation organized and existing

under the laws of Delaware with its principal place of business at 702 Southwest 8th Street,
Bentonville, Arkansas 72716.

88 Defendant WIND RIVER SYSTEMS, INC is a corporation organized and existing
under the laws of Delaware with its principal place of business at 500 Wind River Way,
Alameda, California 94501.

89 Defendant WINTEGRA, INC. is a corporation organized and existing under the laws
of Delaware with its principal place of business at 6850 Austin Center Blvd., Suite 215, Austin,
Texas 78731

90 Defendant WIPRO INC. is a corporation organized and existing under the laws of
Delaware with its principal place of business at 1300 Crittenden Lane, 2nd Floor, Suite 200,
Mountain View, California 94043.

91 Defendant YOKOGAWA CORPORATION OF AMERICA is a corporation
organized and existing under the laws of Delaware with its principal place of business at 2 Dart
Road, Newnan, Georgia 30265.

92 Defendant ZORAN CORPORATION is a corporation organized and existing under
the laws of Delaware with its principal place of business at 1390 Kifer Road, Sunnyvale,
California 94086

JURISDICTION AND VENUE

93 This action arises under the patent laws of the United States, Title 35 of the United
States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and
1338(a).

94 MIPS Everywhere (TM). "MIPS Everywhere" is a trademark of MIPS

TECHNOLOGIES, INC. and is the centerpiece of its interactive website.

95. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, each Defendant has a regular and established place of business in this district, has transacted business in this district, and has committed, contributed to, and/or induced acts of patent infringement in this district.

96. On information and belief, this Court has specific and personal jurisdiction over each Defendant. Each Defendant, directly or through intermediaries (including distributors, retailers, and others), ships, distributes, offers for sale, sells, and advertises (including by way of interactive website) its products in the United States, the State of Texas, and the Eastern District of Texas. Each Defendant has purposefully and voluntarily placed one or more of its infringing products, as described below, into the stream of commerce with the expectation that they will be purchased by consumers in the Eastern District of Texas. These infringing products have been and continue to be purchased by consumers in the Eastern District of Texas. Each Defendant has committed acts of patent infringement with the State of Texas and, more particularly, within the Eastern District of Texas.

PATENT INFRINGEMENT

97. Harthcock incorporates by reference paragraphs 1-96 as if fully set forth herein.

98. On February 12, 2002, United States Patent No. 6,347,368 ("the '368 patent") entitled "MICROCOMPUTING DEVICE FOR EXCHANGING DATA WHILE EXECUTING AN APPLICATION" was duly and legally issued to, and its inventor named as, Jerry David Harthcock, after full and fair examination by the United States Patent Office. All rights, title, and interest in the '368 patent are owned by Harthcock. A true and correct copy of the '368

patent is attached hereto and incorporated as Exhibit A.

99. MIPS TECHNOLOGIES, INC. is in the business of licensing its MIPS brand of 32-bit and 64-bit RISC IP cores ("RISC cores").

100. All of MIPS' RISC cores that it licenses comprise, among other things, an EJTAG port.

101. MIPS' EJTAG port literally infringes all the elements of at least one claim of the '368 patent, or, in the alternative, MIPS' EJTAG port infringes the '368 patent under the Doctrine of Equivalents.

102. The Defendants are licensees of MIPS' RISC cores and/or are manufactures, users, and/or sellers of products that use, require, operate in, and/or comprise at least one MIPS RISC core or MIPS-compatible RISC core. For instance, Defendant SONY CORPORATION OF AMERICA utilizes at least one MIPS brand IP core in each of its PlayStation 2 and PlayStation Portable ("PSP") products that are sold by Defendant retailers BEST BUY CO., INC., CIRCUIT CITY STORES, INC., GAMESTOP, INC., Sears Holdings, LLC, TARGET CORPORATION, TOYS 'R' US-DELAWARE, INC., and WAL-MART STORES, INC.

103. MIPS wrote and had published in the trade magazine EE TIMES a technical article describing the elements that make up EJTAG and how it works in the MIPS RISC core. The article is entitled "Non-intrusive On-chip Debug Hardware Accelerates Development for MIPS RISC Processors" and a true and correct copy of it is attached hereto and incorporated as Exhibit B. The article can be downloaded from MIPS' website at:

http://cms.mips.com/media/files/white-papers/ejtag_debug_eetimes.pdf

104. As shown in the claim chart attached hereto and incorporated as Exhibit C, the

essential elements of MIPS' EJTAG on-chip debug function described in said article "reads" literally on every element of Claim 1 and Claim 2 of the '368 patent.

105. MIPS has published on its website a partial list of its licensees. A true and correct copy of said list is attached hereto and incorporated as Exhibit D.

106. Upon information and belief, in licensing its RISC core to Defendant Cavium Networks, Inc., MIPS indemnifies the licensee against claims of infringement. A true and correct excerpt from such indemnification clause from said license is attached hereto and incorporated as Exhibit E. Text deemed confidential is replaced with "[*]"

107. The Defendants' acts of infringement have caused damage to Harthcock.

108. Pursuant to 35 U.S.C. § 271, Harthcock is entitled to recover from Defendants the damages sustained by Harthcock as a result of the Defendants' wrongful acts in an amount subject to proof at trial. The Defendants' infringement of Harthcock's rights under the '368 patent will continue to damage Harthcock, causing irreparable harm, for which there is no adequate remedy of law, unless enjoined by this Court.

109. Prior to the filing of the present lawsuit, Harthcock provided at least some of the Defendants with actual notice of infringement of the '368 patent. Alternatively, the filing of this Complaint provides all the Defendants with actual notice of infringement of the '368 patent.

110. Attached hereto and incorporated as Exhibit F is the NOTICE AND DEMAND FOR SETTLEMENT letter mailed to the Defendants on or about the time of the filing of this lawsuit.

JURY DEMAND

Jerry D Harthcock demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Harthcock requests entry of judgment in Harthcock's favor and against the Defendants, and each of them as follows:

a) an award of damages adequate to compensate Harthcock for the infringement alleged herein together with prejudgment interest thereon;

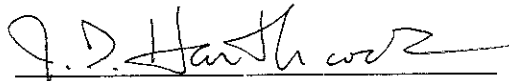
d) a permanent injunction prohibiting the Defendants and their respective officers, agents, employees and those acting in privity with them, from further infringement of the '368 patent;

e) Costs of suit; and

f) For such other and further relief as the Court may deem just and proper.

DATED: Nov. 27, 2007

Respectfully submitted,



Jerry David Harthcock
704 Hyde Park Place
Austin, Texas 78748
(512) 772-4367
Proceeding *Sui Juris*